

HPS-149 (September 2005)

September 23, 2005

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

C.A. No. 05-3464

JAMES G. TRUMP, SR.

vs.

WARDEN THOMAS CARROLL, et al.
(D. Del. Civil No. 05-cv-00323)

Present: SCIRICA, Chief Judge, WEIS and GARTH, Circuit Judges

Submitted is appellant's request for a certificate of appealability under 28 U.S.C. § 2253(c)(1) in the above-captioned case.

Respectfully,

Clerk

ORDER

The foregoing request for a certificate of appealability is denied. See Slack v. McDaniel, 529 U.S. 473, 484 (2000). The District Court properly dismissed the Appellant's habeas petition as second or successive and lacking authorization from this Court. See 28 U.S.C. § 2244; see also Robinson v. Johnson, 313 F.3d 128, 138 (3d Cir. 2002).

By the Court,

s/Weis

United States Circuit Judge

Dated: October 24, 2005

CRG/cc: Mr. James G. Trump Sr.
Thomas E. Brown, Esq.



Marcia M. Waldron

Marcia M. Waldron, Clerk